

Court of Appeals, State of Michigan

ORDER

People of MI v Jesse Ricardo Wade

Docket No. 279945

LC No. 06-027898-FC; 06-027770-FH

Karen M. Fort Hood
Presiding Judge

Helene N. White

Michael J. Talbot
Judges

The Court orders, pursuant to MCR 7.205(D)(2), that the trial court's orders denying defendant's request for the appointment of appellate counsel are VACATED, and this matter is REMANDED to the trial court for a determination of whether defendant is indigent and, if so, for the appointment of appellate counsel. *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed 2d 552 (2005). Appointed counsel may file an application for leave to appeal to this Court, and/or any appropriate postconviction motions in the trial court, and the time for filing shall be determined based on the date of the trial court's order appointing counsel. See e.g., *People v White*, 478 Mich 862; 731 NW2d 410 (2007).

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 07 2007

Date

Sandra Schultz Mengel
Chief Clerk